



February 15, 2002

ENGROSSED SENATE BILL No. 376

DIGEST OF SB 376 (Updated February 12, 2002 1:18 PM - DI 106)

Citations Affected: IC 4-1.

Synopsis: Release of Social Security numbers. Prohibits a state agency from releasing the Social Security number of an individual to the public unless required by state law, federal law, or court order.

Effective: July 1, 2002.

Ford, Clark

(HOUSE SPONSORS — WELCH, YOUNG D)

January 10, 2002, read first time and referred to Committee on Governmental and Regulatory Affairs.

January 17, 2002, reported favorably — Do Pass.

January 22, 2002, read second time, amended, ordered engrossed.

January 23, 2002, engrossed.

January 28, 2002, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 5, 2002, read first time and referred to Committee on Judiciary.

February 14, 2002, reported — Do Pass.

C
o
p
y

ES 376—LS 7200/DI 87+



February 15, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

ENGROSSED SENATE BILL No. 376

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-1-9 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]:

4 **Chapter 9. Release of Social Security Number by a State Agency**

5 **Sec. 1. (a) As used in this chapter, "state agency" means an**
6 **authority, a board, a branch, a commission, a committee, a**
7 **department, a division, or another instrumentality of the executive,**
8 **including the administrative, department of state government.**

9 **(b) The term includes the following:**

10 **(1) A state elected official's office.**

11 **(2) A state educational institution (as defined in**
12 **IC 20-12-0.5-1).**

13 **(3) A body corporate and politic of the state created by state**
14 **statute.**

15 **(4) The Indiana lobby registration commission established**
16 **under IC 2-7-1.6-1.**

17 **(c) The term does not include the following:**

ES 376—LS 7200/DI 87+



C
o
p
y

1 (1) The judicial department of state government.

2 (2) Except as provided in subsection (b)(4), the legislative
3 department of state government.

4 Sec. 2. A state agency may not disclose the Social Security
5 number of an individual unless:

6 (1) the disclosure of the Social Security number is expressly
7 required by state law, federal law, or a court order; or

8 (2) the individual expressly consents in writing to the
9 disclosure of the individual's Social Security number.

10 Sec. 3. (a) This section applies if a record is a public record
11 under:

12 (1) state law; or

13 (2) the policy of a state agency, if the agency has the discretion
14 under state law to make a record of the public agency a public
15 record or confidential record.

16 (b) If state law or the policy of a state agency:

17 (1) provides that a record of a state agency is a public record;
18 and

19 (2) does not expressly provide that a Social Security number
20 contained in the record is confidential;

21 the record may be disclosed to the public, but the Social Security
22 number may not be disclosed to the public.

23 (c) Notwithstanding subsection (b), a Social Security number
24 contained in a record of a state agency must be disclosed if a court
25 order or federal law requires disclosure of the Social Security
26 number.

27 Sec. 4. Unless prohibited by another state statute, a state agency
28 may disclose the Social Security number of an individual to any
29 agency of state or local government.

30 Sec. 5. If a state agency receives a document that contains a
31 Social Security number that may not be disclosed as set forth in
32 this chapter, the state agency may not disclose the Social Security
33 number.

C
o
p
y



SENATE MOTION

Mr. President: I move that Senator Clark be added as second author of Senate Bill 376.

FORD

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 376, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 376 as introduced.)

MERRITT, Chairperson

Committee Vote: Yeas 7, Nays 0.

C
o
p
y

ES 376—LS 7200/DI 87+



SENATE MOTION

Mr. President: I move that Senate Bill 376 be amended to read as follows:

Page 1, between lines 14 and 15, begin a new line block indented and insert:

"(4) The Indiana lobby registration commission established under IC 2-7-1.6-1."

Page 1, line 15, delete "judicial or legislative" and insert "**following:**

(1) The judicial department of state government.

(2) Except as provided in subsection (b)(4), the legislative department of state government."

Page 1, delete line 16.

(Reference is to SB 376 as printed January 18, 2002.)

FORD

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 376, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STURTZ, Chair

Committee Vote: yeas 9, nays 0.

C
o
p
y

ES 376—LS 7200/DI 87+

